



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

THE
AMERICAN LAW REGISTER.

NEW SERIES,
VOLUME XXIII.
(OLD SERIES, VOL. 32.)

FROM JANUARY TO DECEMBER, 1884.

EDITORS:

HON. JAMES T. MITCHELL, PHILADELPHIA.

HON. EDMUND H. BENNETT, BOSTON.

HON. T. M. COOLEY, ANN ARBOR, MICH.

HON. ELI S. HAMMOND, MEMPHIS.

HON. CHARLES H. WOOD, CHICAGO, ILL.

FRANK P. PRICHARD, Esq., PHILADELPHIA.

PHILADELPHIA:
D. B. CANFIELD & CO.
1884.

ENTERED, according to Act of Congress, in the year 1884, by

D. B. CANFIELD & CO.,

In the Office of the Librarian of Congress at Washington.

B. M. DUSENBERY & SON,
ELECTROTYPERS & STEREOTYPERS.

COLLINS.
PRINTERS.

T A B L E

OF

LEADING ARTICLES, ETC.

Allowances for Maintenance and Education	489
Carriers of Live Stock, Liability of	753
Contracts for the Benefit of Third Persons	1
Crime, Drunkenness as an Excuse for	217
Demurrage	153
Discrimination in Railway Facilities	417
Drunkenness as an Excuse for Crime	217
Education, Maintenance and Allowances for	489
Husband and Wife, Possession by	625
Insurance, Railway	553
Law Books, List of New	80, 279, 352, 687
Liability of Live Stock Carriers	753
Liability of Telegraph Companies for Fraud, Accident, Delay and Mistakes in the Transmission and Delivery of Messages	281, 353
List of Principal New Law Books	80, 279, 352, 687
Live Stock Carriers, Liability of	753
Maintenance and Education, Allowances for	489
New Law Books, List of	80, 279, 352, 687
Partners, Power of to Withdraw at Will from Partnerships En- tered into for a Definite Period	689
Possession by Husband and Wife	625
Power of Partners to Withdraw at Will from Partnerships En- tered into for a Definite Period	689
Railroad Traffic, State Legislation regulating	81

Railway Facilities, Discrimination in	417
Railway Insurance	553
Relief of the Supreme Court of the United States	360
State Legislation regulating Railroad Traffic	81
Supreme Court of the United States, Relief of	360
Telegraph Companies, Liability of for Fraud, Accident, Delay and Mistakes in the Transmission and Delivery of Messages	281, 353
The Relief of the Supreme Court of the United States	360

ABSTRACTS OF RECENT DECISIONS.

Arkansas, Supreme Court of	268, 338
Delaware, Court of Chancery of	268
English Courts of Law and Equity	65
Georgia, Supreme Court of	143, 338, 674, 798
Illinois, Supreme Court of	207, 268, 408, 614, 744, 798
Kansas, Supreme Court of	338, 543, 744
Maine, Supreme Court of	65, 798
Maryland, Court of Errors and Appeals of	65, 408, 477, 543
Massachusetts, Supreme Judicial Court of	65, 207, 268, 543, 674
Missouri, Supreme Court of	143, 477, 674
New Hampshire, Supreme Court of	268
New Jersey, Court of Chancery of	543
New Jersey, Court of Errors and Appeals of	143, 477, 744
New Jersey, Supreme Court of	143, 207, 614
Ohio, Supreme Court Commission of	338, 408, 614, 744
Ohio, Supreme Court of	65, 207, 338
Rhode Island, Supreme Court of	477, 614, 674
United States, Supreme Court of	65, 143, 207, 268, 338, 408, 477, 798
Vermont, Supreme Court of	543, 614, 747
Wisconsin, Supreme Court of	143, 408, 674, 798

ERRATA.

Pages 281 to 294, and 353 to 359, for "Tex. App. Cir. Cas.," read "Tex. App. Civ. Cas."

TABLE OF CASES.

	PAGE		PAGE
Adams, Hatch v. . . .	794	Bryan, First Nat. Bank v. .	201
Allen, Baltimore & Ohio Railroad Co. v. . . .	739	Burford v. Grand Rapids .	501
Arkansas Central Railroad Co., Credit Co., Limited, v.	35	Burt v. Winona & St. Paul Railroad	534
Arrowsmith v. Hormening .	249	Butterfield, Hall v. . . .	261
Baker, Jolliffe v. . . .	162	Canada Southern Railroad Co. v. Gebhard	55
Baltimore and Ohio Rail- road v. Allen	739	Car Co., Pullman Palace, v. Gaylord	788
Bank, First Nat., v. Bryan	201	Chesapeake, Ohio & S. W. Railroad Co., Hall v. . .	126
Bank, Merchants' National, v. Coates	188	Chicago, B. & Q. Railroad Co., Quinn v.	513
Bayer, City of Denver v. .	440	City of Denver v. Bayer .	440
Bean, Hermann Loog v. .	701	City of Grand Rapids, Burford v.	501
Beardsley v. City of Hart- ford	117	City of Hartford, Beardsley v.	117
Bogert, Lydecker v. . . .	468	City of Raleigh, Ellison v.	137
Boston, &c., Railroad Co., Howe v.	102	City of Topeka v. Gillet .	778
Brooks, Hoffman v. . . .	648	Coates, Dickinson v. . . .	181
Brown v. Minneapolis & St. Louis Railroad	335	Coates, Merchants' National Bank v.	188

	PAGE		PAGE
Commonwealth <i>v.</i> Phoenix		Gebhard, Canada Southern	
Iron Co.	388	Railroad Co. <i>v.</i>	55
Coombs, Nicholson <i>v.</i>	193	Gillet, City of Topeka <i>v.</i>	778
Copps, Texas, &c., Railroad		Gleason <i>v.</i> Gleason	640
Co. <i>v.</i>	376	Goodhart <i>v.</i> Hyett	240
Credit Company, Limited, <i>v.</i>		Goodnow <i>v.</i> Empire Lumber	
Arkansas Cent. Railroad Co. 35		Co.	329
Crossman, Olson <i>v.</i>	114	Grand Rapids, Burford <i>v.</i>	501
Cumberland Valley Railroad			
<i>v.</i> Maugans	518	Hall <i>v.</i> Butterfield ,	261
Cundy <i>v.</i> Le Cocq	768	Hall <i>v.</i> Chesapeake, Ohio &	
		S. W. Railroad Co.	126
Davis <i>v.</i> Duncan	582	Hartford, City of, Beards-	
Denver, City of, <i>v.</i> Bayer	440	ley <i>v.</i>	117
Detroit City Railway Co.,		Hatch <i>v.</i> Adams	794
Wood <i>v.</i>	243	Heenrich <i>v.</i> Pullman, &c., Co. 459	
Devin, Zimmerman <i>v.</i>	50	Hermann Loog <i>v.</i> Bean	701
Dickinson <i>v.</i> Coates	181	Herrick <i>v.</i> Minneapolis & St.	
Duncan, Davis <i>v.</i>	582	L. Railway Co.	26
		Hershiser <i>v.</i> Florence	315
Ellison <i>v.</i> City of Raleigh	137	Hoffman <i>v.</i> Brooks	648
Empire Lumber Company,		Holland, White <i>v.</i>	385
Goodnow <i>v.</i>	329	Hormening, Arrowsmith <i>v.</i>	249
		Hoverson <i>v.</i> Noker	670
Fairlamb, Stott <i>v.</i>	371	Howe <i>v.</i> Boston, &c., Rail-	
First Nat. Bank <i>v.</i> Bryan	201	road Co.	102
Flint & Pere Marquette		Hughes <i>v.</i> Percival	93
Railroad, Lewis <i>v.</i>	604	Hyett, Goodhart <i>v.</i>	240
Florence, Hershiser <i>v.</i>	315		
Fowler, Ort <i>v.</i>	569	In re Albert Garvey	733
		Iron Co., Phoenix, Common-	
Gallagher, Railroad Co., <i>v.</i> 593		wealth <i>v.</i>	388
Garvey, Albert, In re	733	Iron Foundry, Phoenix,	
Gaylord, Pullman Palace		Matthewson <i>v.</i>	401
Car Co. <i>v.</i>	788		

TABLE OF CASES.

vii

	PAGE		PAGE
Jolliffe <i>v.</i> Baker . . .	162	Ohlert, Whiting <i>v.</i> . . .	384
Jones, State <i>v.</i> . . .	771	Olson <i>v.</i> Crossman . . .	114
Lamb <i>v.</i> Munster . . .	12	Ort <i>v.</i> Fowler . . .	569
Lancashire and Yorkshire Railway Co., Whalley <i>v.</i>	633	Percival, Hughes <i>v.</i> . . .	93
Le Cocq, Cundy <i>v.</i> . . .	768	Phoenix Iron Co., Common- wealth <i>v.</i> . . .	388
Lewis <i>v.</i> Flint & Pere Mar- quette Railroad Co. . .	604	Phoenix Iron Foundry, Ma- thewson <i>v.</i> . . .	401
Loog <i>v.</i> Bean . . .	701	Pittman, Nicholls <i>v.</i> . . .	435
Lumber Co., Empire, Good- now <i>v.</i> . . .	329	Price, The Queen <i>v.</i> . . .	560
Lydecker <i>v.</i> Bogert . . .	468	Pullman Palace Car Co. <i>v.</i> Gaylord . . .	788
Mathewson <i>v.</i> Phoenix Iron Foundry . . .	401	Pullman, &c., Co., Heen- rich <i>v.</i> . . .	459
Maugans, Cumberland Val- ley Railroad <i>v.</i> . . .	518	Queen <i>v.</i> Price . . .	560
Mayor, &c., of Jersey City, Rouede <i>v.</i> . . .	306	Quinn <i>v.</i> Chicago, B. & Q. Railroad Co. . .	513
Medical Examining Board, State <i>v.</i> . . .	714	Railroad Co. <i>v.</i> Allen . . .	739
Merchants' National Bank <i>v.</i> Coates . . .	188	Railroad Co., Burt <i>v.</i> . . .	534
Minneapolis & St. L. Rail- road Co., Brown <i>v.</i> . . .	335	Railroad Co. <i>v.</i> Copps . . .	376
Minneapolis & St. L. Rail- road, Herrick <i>v.</i> . . .	26	Railroad Co., Credit Com- pany, Limited, <i>v.</i> . . .	35
Munster <i>v.</i> Lamb . . .	12	Railroad Co. <i>v.</i> Gallagher . . .	593
Nicholls <i>v.</i> Pitman . . .	435	Railroad Co. <i>v.</i> Gebhard . . .	55
Nicholson <i>v.</i> Coombs . . .	193	Railroad Co., Hall <i>v.</i> . . .	126
Noker, Hoverson <i>v.</i> . . .	670	Railroad Co., Howe <i>v.</i> . . .	102
N. Y. Cent. & H. R. Rail- road Co., Rintoul <i>v.</i> . . .	294	Railroad Co., Lewis <i>v.</i> . . .	604
		Railroad Co. <i>v.</i> Maugans . . .	518
		Railroad Co., Quinn <i>v.</i> . . .	513
		Railroad Co., Rintoul <i>v.</i> . . .	294
		Railroad Co., Wilson <i>v.</i> . . .	724
		Railway Co., Brown <i>v.</i> . . .	335

	PAGE		PAGE
Railway Co., <i>Herrick v.</i>	26	Texas, &c., Railroad Co. <i>v.</i>	
Railway Co., <i>Whalley v.</i>	633	<i>Copps</i>	376
Railway Co., <i>Wood v.</i>	243	<i>The Queen v. Price</i>	560
<i>Raleigh, City of, Ellison v.</i>	137	<i>Topeka, City of, v. Gillet .</i>	778
<i>Rintoul v. N. Y. Cent. & H.</i>		<i>Whalley v. Lancashire and</i>	
<i>R. Railroad Co.</i>	294	<i>Yorkshire Railway Co. . .</i>	633
<i>Rouede v. Mayor, &c., of</i>		<i>White v. Holland</i>	385
<i>Jersey City</i>	306	<i>Whiting v. Ohlert</i>	384
		<i>Wilson v. St. Louis, &c.,</i>	
<i>State v. Jones</i>	771	<i>Railroad Co.</i>	724
<i>State v. State Medical Ex-</i>		<i>Winona & St. Paul Railroad</i>	
<i>aming Board</i>	714	<i>Co., Burt v.</i>	534
<i>St. Louis, &c., Railroad Co.,</i>		<i>Wood v. Detroit City Rail-</i>	
<i>Wilson v.</i>	724	<i>way Co.</i>	243
<i>Stott v. Fairlamb</i>	371	<i>Zimmerman v. Devin . . .</i>	50